

EASC SEPARATION CLEARANCE PROCEDURES

Separation clearance is a mandatory requirement. The procedures are set forth in DAO 202-299 (in addition NAO 202-299 for NOAA employees). If an employee leaves without completing separation clearance procedures, he/she may jeopardize the timely release of payments still owed to him/her.

The supervisor must initiate the clearance process before employees separate from a Departmental office or operating unit, and before employees change official duty stations. The supervisor is responsible for ensuring there are no unresolved issues of indebtedness when an employee departs.

Note: Guest workers, contract employees and other non-federal employees must complete the clearance process that has been established within the organizational unit. The form CD-126, Separation Clearance Certificate, may be used for this purpose. Identification badges must be returned to EASC Regional Security Office.

Supervisor Responsibilities:

- Begin to initiate clearance procedures as soon as practicable (preferably at least two weeks prior to separations).
- Complete the top portion of Form CD-126, Separation Clearance Certificate.
- Identify those additional clearance items by checking or adding items in Section III of Form CD-126 which are appropriate for the separating employee.
- Ask the Timekeeper to prepare all applicable forms: (1) SF 52, Request for Personnel Action, (2) Form CD-527, Leave Audit, and (3) Form CD-529, Lump Sum Leave Payment.
- Sign and date portions of the CD-126 requiring supervisor's approval.
- If employee was supervised for the minimum number of days, conduct and prepare an interim or final performance appraisal as appropriate. Official copies of performance appraisals for the previous four years must be forwarded with clearance forms.
- Ensure that the completed CD-126 and all other necessary forms are submitted to Human Resources by the date the employee separates or immediately thereafter.

Employee Responsibilities:

- Clear every item in Section II and any checked item(s) in Section III of Form CD-126.
- Certify that they do not have any Government property, records, or documents, except as

noted on the clearance form, and that they are not otherwise indebted to the United States.

- Certify that they have read and understand the post-employment restrictions of 18 U.S.C. 207.

Contacts:

- Questions regarding the separation clearance process should be directed to the servicing Human Resources Assistant. See HR staff directory at:
http://www.easc.noaa.gov/hrd/hrdstaff_v2.htm
- Identification Cards should be returned to the EASC Regional Security Office.
- Employees who have a security clearance must contact the EASC Regional Security Office.
- Government Travel Cards should be returned to the supervisor or designated organizational contact.
- Government Purchase Cards should be destroyed and the Purchase Maintenance form (CB002) should be sent to Dewey Privott of the Acquisition Management Division to close out the account.
- Phone Calling Cards should be returned to the supervisor or designated organizational contact.
- Employees with CAMS access must contact Carolyn Collins of the Financial Management Division.

SEPARATION CLEARANCE CERTIFICATE**SECTION I.—TO BE COMPLETED BY IMMEDIATE SUPERVISOR****INSTRUCTIONS FOR SUPERVISORS:**

Initiate this form normally one week before an employee's separation, according to your Departmental Office or operating unit's internal procedures. Advise the separating employee on the clearance process. Complete Section I, determine which OTHER CLEARANCES are appropriate for the separating employee and check those blocks in Section III.

NAME OF SEPARATING EMPLOYEE	EFFECTIVE DATE OF SEPARATION	DATE INITIATED
-----------------------------	------------------------------	----------------

FULL NAME OF ORGANIZATION

TYPE OF SEPARATION:

☐ LEAVING FEDERAL SERVICE ☐ TRANSFER TO ANOTHER AGENCY ☐ TRANSFER WITHIN COMMERCE

REQUEST FOR PERSONNEL ACTION, SF-52 ☐ SUBMITTED ☐ ATTACHED ☐ NOT REQUIRED

INTERIM SUMMARY PERFORMANCE APPRAISAL, CD-396 ☐ ATTACHED ☐ NOT REQUIRED
Required when employee transfers to another position in the Department or another Federal agency after serving in his/her position for 120 days or more during the appraisal cycle.

LUMP SUM LEAVE PAYMENT, AD-581 **Reference:** Time and Attendance Manual Exhibits on Reports and Form Preparation—Part A. ☐ ATTACHED ☐ NOT REQUIRED

LEAVE AUDIT, AD-717 **Reference:** Time and Attendance Manual Exhibits on Reports and Form Preparation—Part C. ☐ ATTACHED ☐ NOT REQUIRED

CHANGE IN TELEPHONE DIRECTORY INFORMATION ☐ SUBMITTED ☐ NOT REQUIRED

SUPERVISOR'S SIGNATURE	DATE	TELEPHONE
------------------------	------	-----------

SECTION II.—ADMINISTRATIVE CLEARANCES: (Required Clearances for All Employees)**INSTRUCTIONS FOR EMPLOYEES:**

TO AVOID DELAY IN FINAL PAYCHECK this form must be completed and submitted to your servicing personnel office before your final paycheck, lump sum leave payment or any other monies due you can be released. You must clear every item in Section II and any checked item(s) in Section III.

Follow your Departmental Office or operating unit's clearance procedure.

Clear your servicing personnel office last, normally on your last work day.

If you want your final paycheck sent to an address other than where your paychecks are currently being sent, complete and attach the AD-349 to this clearance form.

INSTRUCTIONS FOR CLEARANCE OFFICIALS:

Indicate clearance of chargeable items by signing the applicable block.

Above your signature in the applicable block note the reasons any chargeable item was not accounted for or returned and indicate the dollar value of unaccounted for items to be collected from the employee.

Sign (using full signature) and date the appropriate clearance block(s). Include your phone number.

1. CD-43, CD-128 OR OTHER OFFICIAL IDENTIFICATION.	CLEARED BY: <i>Signature</i>	<i>Date</i>	<i>Telephone</i>
2. DOOR KEYS AND/OR ELECTRONIC DOOR KEY CARDS.			
3. GOVERNMENT TRAVEL CHARGE			
4. TELEPHONE CREDIT CARDS.			
5. IMPREST FUND PAYMENTS.			
6. PERSONALLY CHARGED PROPERTY.			
7. TRANSPORTATION REQUESTS (Cleared with servicing ASC or MSC).			
8. TRAVEL ADVANCE.			

(continue on reverse)

SECTION III.—OTHER CLEARANCES: (CLEAR ONLY IF CHECKED).

	CLEARED BY: <i>Signature</i>	<i>Date</i>	<i>Telephone</i>
<input type="checkbox"/> INVESTIGATIVE CREDENTIAL AND BADGE			
<input type="checkbox"/> OFFICIAL OR DIPLOMATIC PASSPORT			
<input type="checkbox"/> OFFICIAL PARKING PERMITS (COMMERCE/LOCAL GOVERNMENT)			
<input type="checkbox"/> SECURITY DEBRIEFING/COURIER AUTHORIZATION, CD-75			
<input type="checkbox"/> FEMA SPECIAL FACILITY PASS			
<input type="checkbox"/> LIBRARY			
<input type="checkbox"/> LAW LIBRARY (LEXIS/NEXIS/WESTLAW/LEGISLATE)			
<input type="checkbox"/> COMPUTER ACCESS			
<input type="checkbox"/> CLASSIFIED/SENSITIVE INFORMATION			
<input type="checkbox"/> HAZARDOUS MATERIALS			
<input type="checkbox"/> CONTINUED SERVICE AGREEMENT—SF-182, TRAINING			
<input type="checkbox"/> CONTINUED SERVICE AGREEMENT—CD-150, RELOCATION			
<input type="checkbox"/> CLASSIFIED SECURITY CONTROL POINT			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			

SECTION IV.—EMPLOYEE CERTIFICATION

I certify that, except as otherwise indicated, I have no Government property, records or documents, including classified material issued or furnished by the Department of Commerce or reproduced by me, and I am not otherwise indebted to the United States Government.

I certify that I have reviewed all the non-record documents (defined in DAO-205-3) that I plan to remove from the Department. None of these documents contain national security information or other information afforded protection under various statutes or regulations, such as privacy information or trade secrets; relate to any pending or contemplated civil, criminal, or administrative proceeding or other program activity where their release could prejudice the matter; if removed, would hinder the efficient, continued functioning of an office or of my successor; if removed, would diminish the records or other documentary information needed for the official business of the Department; if removed, would violate the confidentiality of any interest protected by law, such as national security, privacy, trade secrets; if removed, would exceed normal administrative economies (i.e., impose an unreasonable cost or burden created by copying or removing the materials from the building); or if removed, would unnecessarily expose, or risk exposing, to the public any internal deliberations, opinions, legal or policy advice, law enforcement materials, or other professional work-product of any officer or employee of the Department. In addition, I understand that I must obtain clearance from the appropriate official possessing authority under Section 4 of DAO 205-12 before I will be permitted to remove any documents that would not normally be released to a third party under the Freedom of Information Act.

I received, read and understand the memorandum from the Office of General Counsel about the post employment restrictions under 18 U.S.C. 207.

SIGNATURE	DATE	PRIVACY ACT STATEMENT. Your Social Security number is already part of the Personnel and Payroll Information Systems: please include the number on this form to help accurately identify your records and expedite payments of any monies due you. <input type="text"/>
-----------	------	--

SECTION V.—SERVICING PERSONNEL OFFICE CLEARANCE**FORMS GIVEN TO SEPARATING EMPLOYEE:**

- | | |
|--|--|
| <input type="checkbox"/> SF-8, UNEMPLOYMENT COMPENSATION | <input type="checkbox"/> SF-2810, HEALTH BENEFITS |
| <input type="checkbox"/> SF-2803, RETIREMENT REFUND | <input type="checkbox"/> SF-2819, FEGLI-NOTICE OF CONVERSION |

Cleared AD-58 released to NFC

Not Cleared NFC notified by: _____

AD-343 issued—Amount due \$ _____ Issued by: _____

Signature _____ Date _____



**GENERAL COUNSEL OF THE
UNITED STATES DEPARTMENT OF COMMERCE**
Washington, D.C. 20230

MEMORANDUM FOR: Exiting Employees

FROM: Marilyn G. Wagner *Marilyn G. Wagner*
 Assistant General Counsel
 for Administration

SUBJECT: Post Employment Restrictions Under
 18 U.S.C. 207

This is a brief reminder to all employees leaving the employ of the Commerce Department and its component agencies or bureaus that the law places certain restrictions on the post employment activities of former federal employees. The statutory source of the restrictions is 18 U.S.C. 207. The limitations are more fully explained in 5 CFR Part 737. The penalties for violating the provisions of the law are criminal in nature.

Restrictions one and two are applicable to all employees. Only senior employees are covered by restrictions three and four. Positions are designated as "Senior employee" positions in 5 CFR 737.33. Not all Senior Executive Service (SES) positions have been designated "Senior" for purposes of the post employment rules. If you have a question regarding the applicability of "senior employee" status to your position please check with your personnel office or the Assistant General Counsel for Administration.

The post employment restrictions are basically as follows:

1. A lifetime bar from representing any other person before the United States in any particular matter involving specific parties in which you participated personally and substantially as an official.

2. A two year bar from representing any other person before the United States in any particular matter involving specific parties that was pending under your official responsibility within one year before leaving office.

3. A two year bar, applicable to former senior employees, from assisting in representing any other person through personal presence at an appearance before the United States in any particular matter involving specific parties in which you participated personally and substantially as an official.

4. A one year bar, applicable to former senior employees, from representing anyone before the Department, or, with the intent to influence, from making any communication to any employee of the Department on any particular matter of direct and substantial interest to the Department.

Remember, all the restrictions on post employment activity place limitations only on representational and related activities. Representation ordinarily involves some sort of direct communication or advocacy on behalf of the outside party. If you have any questions on the representational nature or any other aspect of proposed post employment activities, you can write the Assistant General Counsel for Administration or call (202) 377-5017. Most questions of this nature can be handled immediately.

As part of your exit clearance process, you will be asked to certify that you have read and understood this memorandum. Please consult with your personnel office or the Assistant General Counsel for Administration now if you have questions of an immediate nature. If questions arise later, please contact the General Counsel's office in writing or by calling the number listed above.